

Appl. No.: 10/828,861

Atty. Docket No. 32153US01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Kevin R. Lessard : Group Art Unit: 3632
Appl. No.: 10/828,861 : Examiner: Smith, Timothy Scott
Filed: April 21, 2004 : Confirmation No.: 5519
For MAILBOX SUPPORT STRUCTURE
DEVICE, KIT AND METHOD

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

ATTENTION: Office of Petitions

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

The above-identified application became abandoned for failure to file a timely and proper reply to the Notice of Allowance and Fee(s) Due mailed on June 21, 2006. A Supplemental Notice of Allowability was mailed on December 11, 2006. The abandonment date for this application is believed to be September 22, 2006 (i.e., the day after the expiration date of the of the period set for reply in the Notice of Allowance and Fee(s) Due plus any extensions of time obtained therefor).

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8 (a))	
I hereby certify that this correspondence is, on the date shown below, being:	
<input checked="" type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<input type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office
Date: <u>8/16/2007</u>	Signature: <u>Leanne Lentz Spencer</u>

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APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Applicant claims small entity status. Therefore, the petition fee under 37 CFR 1.17(m) is \$750.00. A check in the amount of the petition fee is enclosed.

2. The required reply to the above-noted Notice of Allowance and Fee(s) Due in the form of the issue fee of \$700.00 is enclosed herewith. Specifically, a check in the amount of the issue fee is enclosed. A newly completed Fee(s) Transmittal form is also enclosed.

3. Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional. This petition is filed within one year of the date of abandonment of the application, but not within three months of the date that applicant was first notified that the application was abandoned. The circumstances leading to the delay in filing this petition are as follows. The Notice of Abandonment was mailed to applicant's original representative, Mr. Anthony Campbell, on February 19, 2006. At some point thereafter, Mr. Campbell contacted the applicant, Mr. Kevin Lessard, by telephone. Mr. Lessard is not sure of exactly when this telephone conversation occurred. Mr. Campbell told Mr. Lessard that there was a problem with the issuance of the patent and that there would be an additional cost to rectify the problem. On May 15, 2007, Mr. Lessard contacted the undersigned and requested assistance with this matter. The undersigned spoke by telephone with Mr. Campbell on May 15,

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2007, and Mr. Campbell confirmed that the application had become abandoned. On May 21, 2007, a letter signed by Mr. Lessard requesting that his patent file be transferred to the undersigned was e-mailed to Mr. Campbell. Having not received the file, the undersigned sent an e-mail message to Mr. Campbell on June 22, 2007 requesting Mr. Lessard's file. Having still not received the file, the undersigned contacted Mr. Campbell by telephone on August 14, 2007. Later that day, Mr. Campbell forwarded an electronic copy of the file to the undersigned. This petition is now being submitted promptly after receiving the file.

Respectfully submitted,

8/16/07

Date

Patrick R. Scanlon

Patrick R. Scanlon

Reg. No. 34,500

207-791-3110